

# SHASTA LAFCO

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## *Report to the Shasta Local Agency Formation Commission*

*From: Amy K. Mickelson, Executive Officer* \_\_\_\_\_

**Meeting Date:** June 13, 2013

**Agenda Item #:** 4b

**Subject:** ACID (Gore/Steiner) Reorganization, LAFCO File #11-01 (*Action*)

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### **Executive Summary and Recommendation**

This summarizes a proposal to annex 17 parcels (approximately 2,286 acres) into Anderson Cottonwood Irrigation District (ACID). This proposal also seeks to concurrently amend the District's Sphere of Influence to include the affected area. ACID submitted an application to LAFCO requesting initiation of proceedings for the reorganization. The project is located in southeast Redding, Shasta County, California. The eastern boundary of the project site is approximately 0.5 miles east of State Highway 273, and is bordered to the north by Branstetter Road and to the south by Clear Creek Road. The Gore Ranch property is outside of the incorporated city limits; the Steiner property is within the Redding city limits.

The project area primarily consists of undeveloped lands, most of which are used for livestock grazing. On the Gore Ranch, rolling blue oak woodlands are separated by annual grassland pastures with the occasional barn or outbuilding scattered around the property. Currently, Gore Ranch is used for winter grazing. The Steiner property includes a manufactured home at its southern end, with the remainder of the property consisting of a small lake. Both the Gore Ranch and Steiner property are privately owned and primarily undeveloped. There is no public access to either property.

The area proposed for annexation lost its source of surface irrigation water with the removal of Saeltzer Dam and diversion from lower Clear Creek in 2000. Annexation into the ACID service district would allow these lands to once again be irrigated. ACID has indicated that it has sufficient water supply available to support the proposed annexation area. There is no evidence that the project would result in impacts that are cumulatively considerable. Approval of the ACID annexation would provide a reliable source of irrigation water to parts of the Gore Ranch for agricultural use and to the Steiner property for fisheries habitat improvement and open space use.

The McConnell Foundation and John Steiner are requesting annexation of their Gore Ranch and Steiner property, respectively, into the service area boundary of the Anderson-Cottonwood Irrigation District (ACID) (project). ACID's Board of Directors approved annexation of the entire 2,261-acre Gore Ranch and the approximately 25-acre Steiner property into its service area on February 11, 2010. As a part of the annexation, ACID and the McConnell foundation have agreed that ACID would provide only enough surface irrigation water to irrigate approximately 317 acres of the Gore Ranch immediately adjacent to the main canal and the historic Townsend Flat Water Ditch.

No development is planned for the areas that the McConnell Foundation and John Steiner are proposing for ACID annexation. The proposed annexation would allow ACID to provide water to the eastern and southern parts of the Gore Ranch by means of existing diversions from the ACID canal that run along the eastern boundary of the ranch, and the historic Townsend Flat Ditch that runs along the ranch's southern boundary. ACID annexation would also provide a source of irrigation water for the Steiner property.

**This is an uninhabited, 100% consent application. LAFCO staff is recommending approval of the reorganization as requested**

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### **General Information**

<b>Applicant:</b>	Anderson Cottonwood Irrigation District
<b>Location:</b>	The project is located in southeast Redding, Shasta County, California. The eastern boundary of the project site is approximately 0.5 miles east of State Highway 273, and is bordered to the north by Branstetter Road and to the south by Clear Creek Road. The Gore Ranch property is outside of the incorporated city limits; the Steiner property is within the Redding city limits.
<b>Parcels/Acres:</b>	17 Parcels/ Approximately 2,286 Acres
<b>Land Use:</b>	Rural Residential/Greenway/Public Facility
<b>Pop./Voters:</b>	2 Inhabitants/2 Registered Voters
<b>CEQA:</b>	ACID prepared and adopted a Negative Declaration
<b>Tax Exchange:</b>	Yes
<b>Affected Agencies:</b>	Shasta County Shasta Mosquito Control District Western Shasta Resource Conservation District City of Redding Shasta County Office of Education Tehama-Trinity Joint Community College District Redding Elementary School District

### **Notice/Comments**

1. The proposed annexation is a 100% certified consent landowner-requested proposal. Although Shasta LAFCO is not required by statute and by its locally adopted procedures to give notice and conduct a public hearing, LAFCO seeks input from affected and neighboring parties nonetheless. Notice for the reorganization has been mailed out to all property owners within the proposed annexation area, as well as those within a 300-foot area of the proposed change. Notice has also been published in the Record Searchlight.
2. As of the issuance of this report, there have been no comments received from property owners or affected agencies. Of the 152 mailed notices to surrounding property owners, 4 were returned as undeliverable.
3. The Commission may receive and incorporate additional comments at the June 13, 2013 hearing.

### **Significant Issues**

LAFCO staff has not identified any statutory or procedural issues that would preclude Commission action on the proposed annexation. Although the Commission recently altered their policy regarding Municipal Service Review Exemptions, that change was made after the proposal had been accepted for filing by LAFCO. Thus ACID does not have an adopted Municipal Service Review due to the pre-existing policy, however they have submitted seemingly adequate evidence as their ability to provide water resources as requested by the property owners requesting such service. Please note testimony as submitted by the District regarding their ability and agreement to serve:

Existing water diversions would be used to direct water to the annexed properties. ACID's pre-1914 water right and its Settlement Contract with the United States allow for the diversion of up to 121,000 acre feet of water per year. Since 1997, ACID's average annual diversion has totaled 110,000 acre-feet per year. Since 2005, ACID's average annual diversion has totaled 105,000 acre-feet per year, reflecting improved water use efficiency and a decrease in irrigated lands within its service area. These average diversions result in an unused portion of ACID's supply totaling between 11,000 and 16,000 acre-feet per year.

ACID's policy regarding the equitable distribution of water to its customers assumes that a flow rate of five cubic feet per second will irrigate one acre per hour, and water is provided to each customer on a two-week rotational basis, or approximately 12 irrigation cycles per year. Each cycle, based on the time and flow calculation, provides 0.4 acre-feet per acre of applied water. Twelve annual irrigation cycles provide approximately five acre-feet of water. Assuming an additional 25 percent for transmission losses, each acre of irrigated land is assumed to require approximately 6.25 acre-feet of water.

The irrigated lands of approximately 320 acres within the proposed annexation area, based on the above calculations, would require approximately 2,000 acre feet of water per year. Sufficient supply is available under existing conditions to provide irrigation water to the annexed lands.

ACID's water supply is subject to drought-year reductions of 25 percent pursuant to its Settlement Contract with the United States; during any such year a like reduction is imposed on the water available to each its customers. Under these conditions, approximately 1,500 acre-feet of water would be available to the lands proposed for annexation. Figure 2 shows lands within the project area that would potentially be irrigated as a result of annexation to the ACID service area. Water allotments to the Gore Ranch property would be used for agricultural and open space uses, while water diverted to the Steiner property would be used for fishery and riparian habitat improvement.

### **Statutory Factors**

The land to be included in the sphere of influence is primarily undeveloped and used for livestock grazing and wildlife habitat. The land is privately owned and has no public access. There are no stated needs in the specific annexation area for public facilities. The Anderson-Cottonwood Irrigation District has stated that it has sufficient infrastructure in place to provide irrigation service as requested. There are no social or economic communities of interest in the area.

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**In accordance with Government Code Section 56668, the following factors shall be considered in the review of a proposal:**

56668(a) The area proposed for inclusion into the water district is uninhabited and presents no topographical issues that would preclude service ability that are not addressed within the agency's Plan for Service.

56668(b) The proposed inclusion of said parcels to an existing service provider is an example of appropriate utilization of existing service providers.

56668(c) This proposal will not change the infrastructure and development standards to the surrounding areas.

56668(d) This proposal is in compliance with Shasta LAFCO policies regarding planned, orderly and efficient patterns of urban development.

56668(f) The boundaries of this proposal are defined and certain. They adhere to lines of ownership and do not create an island or corridor of exclusion.

56668(g) This proposal is consistent with the County General Plan.

56668(h) A concurrent adjustment to the Sphere is applied for as a part of this proposal.

56668(i) Any comments from affected agencies received prior to consideration by the Commission should be considered both in the Commission's determination and as a part of the adopted record.

56668(j) The District attests to available contracted water sources to provide this service, as evidenced by the proposal application.

56668(k) The District indicates their ability to serve the site as requested.

56668(l) This project does not assist the County in achieving its fair share of regional housing needs.

56668(m) No comments have been received from affected property owners. If any comments are entered between the issuance of the Executive Officer's report and the conclusion of the hearing, they should be considered both in the Commission's determination and as a part of the adopted record.

56668(n) This project conforms to existing land use designations.

56668(o) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. This proposal, as submitted shall have no bearing on or consideration of environmental justice

**Conclusions and Recommendation**

Staff has found the application to be complete in its components, in compliance with the statutory filing requirements and consistent with Shasta LAFCO's policies relative to changes of organization and reorganization. It is, therefore, recommended that the Commission approve and adopt Resolution No. 2013-05 which:

1. Determines that the proposal is consistent with the provisions and factors to be considered under Sections 56425 and 56668 of the LAFCO statute;
2. Ratifies the Negative Declaration prepared by A.C.I.D.;
3. Approves: ACID (Gore/Steiner) Reorganization, LAFCO File #11-01
4. Establishes the approved acreage and uninhabited designation.
5. Designates responsibility for preparation of documents and fees for filing with the State Board of Equalization;
6. Waives the Conducting Authority proceedings as allowed by law.